

Planning, Building and Code Enforcement 200 East Santa Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

FILENUMBER COMPLETED BY PLANNING STAFF FILENUMBER COUNCIL COUNCIL DISTRICT QUAD # ZONING GENERAL PLAN REZONING FILENUMBER	DATEBY
TO:BE COMPLETED BY APPLICANT (RUEASEPRINT OR TYPE) ADDRESS OF PROPERTY BEING PROTESTED OHIS NOT MANCH Drive, Campbell, C ASSESSOR'S PARCEL NUMBER(S) 414-02-064	A 95008
REASON OF PROTEST I protest the proposed rezoning because See Attachment A	· · · · · · · · · · · · · · · · · · ·
The property in which I own an undivided interest of at least 51%, and on behalf of which is situated at: (describe property by address and Assessor's Parcel Number) 1046 Normandy Drive (ampbell) Parce # 414-02-069 and is now zoned R1-8 District. (in Santa Clara	<u>CA 95008</u>
The undivided interest which I own in the properly described in the statement above is a Eee Interest (ownership) Leasehold interest which expires on Other: (explain)	A:

SIGNATURE(S) C	F PROTEST	ANT(S)		-
This form must be signed by ONE or more owners of an which such profest is fifed, such interest being not merely remaining term of ten years or longer shall be deemed as an eligible profest site is a legal entity other than a parso duly authorized officer(s) of such legal entity. When such petition shall be signed by the duly authorized officer(s) members of the association.	y an easement. n "owner" for pu on or persons, t n legal entity is t	A tenant under a rposes of this pr he protest petition homeowner's a	a tease whi otest. Whe on shall be essociation	ich has a en the owner of signed by the I, the protest
PRINTIPAME L. Wilkie		DAYTIME / TELEPHONE	408):	3 <i>75 -543</i> 5
ADDRESS 1046 Normandy Drive	Camp		TATE	ZIP CODE CS COS
SIGNATURE (Notarized)	ij		DATE	7/22/10
PRINTNAME James D. Wilkie		DAYTIME TELEPHONE:	#	7- /
ADDRESS 1846 Normandy Ar.	Camp	bell	STATE Ca	ZIPCODE 98 <i>00P</i>
SIGNATURE (Notarized)			DATE	1/27/10
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ADDRESS	CITY		STATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
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STATE OF CALIFORNIA)
COUNTY OF GANGA CLACA) ss.
On 1006 Defore me, M.S. UGO, Notary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (Share subscribed to the within instrument and acknowledged to me that he/sha/they executed the same in his/he/their authorized capacity(ies), and that by his/he/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
WITNESS my hand and official seal. Witness my hand and official seal. Wotary Public (Seal)
COUNTY OF Santa Clara) ss.
before me, Michelle (International Public, personally appeared James D. Vilke who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(iss), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PBNALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. We lule Autonomy Notary Public Notary Public (Seal) MICHELLE ANTONOMICZ Commission # 1651639 Notary Public - California Sania Giara County My Comm. Expires Jun 1, 2013

Notary Public

TO ZONING PROTEST APPLICATION

I protest -- and respectfully urge the City Council to deny -- the proposed Director Initiated Prezoning (File No. C10-010) ("Prezoning") that would result in the rezoning of my property to R-1-5 Single-Family Residence Zoning District upon annexation to the City of San Jose for the following reasons and with reference to the following facts:

- 1. Prezoning Paves the Way for Streamlined Annexation Without Protest. The Prezoning is proposed in conjunction with -- and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
- Prezoning Directly Contradicts City of Campbell and Cambrian 36 Property 2. Owners Requests. The Prezoning is the first step of a unilateral effort initiated by the City of San Jose to annex Cambrian 36 - an effort which directly contradicts the stated desire of both the City of Campbell and Cambrian 36 property owners to annex Cambrian 36 into the City of Campbell. In October of 2006, a petition signed by 204 Cambrian 36 property owners was presented to the City of Campbell asking that it be annexed to the City of Campbell. In response, the City of Campbell directed its staff to pursue two different possibilities for annexation of Cambrian 36, one which received preliminary support from City of San Jose staff. Councilmember Judy Chirco, citing an inapplicable 1984 city policy (concerning de-annexation), quashed this effort. Despite this disappointing response, both Campbell's and Cambrian 36 property owners' interest in annexing Cambrian 36 remains unequivocal. As recently expressed in the Mayor of Campbell's letter to the Mayor of San Jose dated September 2, 2010, "Campbell welcomes the annexation of the Cambrian #36 pocket into our city. The residents have Campbell mailing addresses, identify with Campbell, and stated a clear preference to be part of Campbell."
- 3. Prezoning Will Result in Annexation that Will Not Benefit My Property. My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- Environmental Review of Prezoning Violates CEQA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 -- more than 16 years ago -- and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).



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FILE NUMBER ZONING FILE NUMBER	10-010	D BY PLANNING ST COUNCIL DISTRICT L	DATEBY
	(RLEASE)	TIED:BY ARPLICAN	lΠ
ADDRESS OF PROPERTY BEI PROTESTED	^{ING} 367 Da	llas Dr., Can	upbell CA 9500B
ASSESSOR'S PARCEL NUMBE	ER(S) 412-3	9-015	
I protest the proposed rezo	oning because See Attac	hment A	
I profest the proposed rezo	oning because <u>See Attac</u>	hment A	
	Use seperate	sheet if necessary	
The property in which I own	Use separate n an undivided interest of at roperty by address and Ass	sheet if necessary	f of which this protest is being filed
The property in which I own is situated at: (describe property)	Use separate n an undivided interest of at roperty by address and Ass	sheet if necessary least 51%, and on behali sessor's Parcel Number	f of which this protest is being filed) 412-39-016
The property in which I own is situated at: (describe property)	Use separate n an undivided interest of at roperty by address and Ass US DY CA 95008	sheet if necessary least 51%, and on behali sessor's Parcel Number	412-39-015
The property in which I own is situated at: (describe property) 367 Dalla (authorities) and is now zoned R1-8	Use separate n an undivided interest of at roperty by address and Ass US DY CA 95008	sheet if necessary least 51%, and on behalt sessor's Parcel Number Larcel #; District. (in Santa	1 412-39-015 Clara County)
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SIGNATURE(S): OF PROTESTANT(S):

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PRINTNAME EVE Walton		DAYTIME TELEPHONE#	408 3	377-1297
ADDRESS 367 Dallas Dr	Campbel	ll (IATE .//	4373385
SIGNATURE (Notarized) // CO O	1		DATE 9	27/2010
PRINTNAME Sergey Marinirak		DAYTIME TELEPHONE#	, A08	821-8316
ADDRESS 367 Dallas Dr (7// CTY)	li E	TATE	ZIPCODE 95008
SIGNATURE (Notarize 1) Service Sleet	衣'		DATE ESP	27/2010
PRINTNAME	1	DAYTIME TELEPHONE#		- 1
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Useseparates	heetifnecessary			

STATE OF CALIFORNIA)
COUNTY OF Sant allara) 6S.)
On 9-27-10 before me, Michelle And Sergey Mart uin tak. satisfactory evidence to be the person(s) whose name(s) acknowledged to me that he/she/they executed the same that by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument.	is/a re su bscribed to the within instrument and : in his/h er/their a uthorized capacity(les), and
I certify under PENALTY OF PERJURY under the law paragraph is true and correct.	vs of the State of California that the foregoing MICHELLE ANTONOWICZ
WITNESS my hand and official seal. Huchele Autono	Commission # 1851839 Notary Public - California Santa Clara County
Notary Public	8
STATE OF CALIFORNIA)
COUNTY OF 4MA CLAMA) ss.)
before me, MS WA Satisfactory evidence to be the person(s) whose name(s) is acknowledged to me that he/she/they executed the same that by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument.	in his/her/their authorized capacity(ies), and
I certify under PENALTY OF PERJURY under the law	s of the State of California that the foregoing
witness my hand and official seal. Notary Public	M. S. LUCIO Commission # 1796411 Notary Public - Colliornia Santo Clora County My Cron. Straighty 22, 2012 (Seal)
M. 5. LUCIO Commission # 1796411 Notary Public - California Sania Clara County My Comm. Express May 22, 2012	M. S. LUCIO Commission # 1796411 Notary Public - California \$ Strata Clara County My - Man Estato May 22, 2012

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FILENUMBER 7 3 10-	U I Ucouncil DISTRICT	
QUAD# ZONING	GENERAL	DATE
REZONING FILE NUMBER	PLAN	BY
	OMPLETED BY APPLICANT	
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ADDRESS OF PROPERTY BEING PROTESTED より ムタルレイユ	DR LAMYBELL	95008
ASSESSORS PARCEL NUMBER(S) ATN 412 - 39 -		
REASONOFPROTEST		
I protest the proposed rezoning because \underline{S}	ee Attachment A	
		
	e separate sheet if necessary	to the second of the leading tiled
The property in which I own an undivided into is situated at: (describe property by addres		in this protest is being liled,
351 (Dallas Dr Campbell 95	008
412	-39-016	
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Onlor, [express)		
·		 -

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STATE OF CALIFO	PRNIA.)		
COUNTY OF	NTA (LAMA) ss.)	•	
acknowledged to m that by his her their	e that he /elie/ they executed (the same in his	, Notary Public, personally app , who proved to me on the basis of abscribed to the within instrument a hep their authorized capacity(ies), an), or the entity upon behalf of which	ıd
I certify under PEN paragraph is true at		the laws of th	e State of California that the foreg	oing
	ny hand and official seal. Active Ary Public		M. 8, LUCIO Commission # 1796411 Notary Public - California Santa Clara County MyComm ExpresMay22,2012 (Seal)	
STATE OF CALIFO)) s9.	·	
On	before me,		Notary Public, personally appe _, who proved to me on the basis of	
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WITNESS m	y hand and official seal.			
Non	ary Public		(Seal)	

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TO BE COMPLETED: BY RUANNING STAFF
FILE NUMBER COUNCIL DISTRICT
QUAD# ZONING GENERAL DATE
REZONING FILE NUMBER BY
TO BE COMPLETED BY APPRICANT. (REASERRINT OR TYPE)
ADDRESS OF PROPERTY BEING 1055 Normandy Drive Campbell (A 9505)
ASSESSOR'S PARCEL NUMBER(S) 414-52-006
REASONOFPROTEST
I protest the proposed rezoning because <u>See Attachment A</u>
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Use separate sheet if necessary
The property In which I own an undivided interest of at least 51%, and on behalf of which this protest is being filed,
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<u> </u>
and is now zoned R1-8 District. (in Santa Clara County)
The undivided interest which I own in the property described in the statement above is a:
Fee Interest (ownership)
Leasehold interest which expires on
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PRINTNAME GING RONZAND		DAYTIME TELEPHONE#	40% ଷଞ	(814)
ADDRESS 1055 Normandy Dr	CITY	Carvolell	TATE ()A	ZIP CODE OSOUX
SIGNATURE (Nota Page) RM		1.0	DATE O	22/0
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ADDRESS	CITY	S	TATE	ZIPCODE
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TO ZONING PROTEST APPLICATION

I protest -- and respectfully urge the City Council to deny — the proposed Director Initiated Prezoning (File No. C10-010) ("Prezoning") that would result in the rezoning of my property to R-1-5 Single-Family Residence Zoning District upon annexation to the City of San Jose for the following reasons and with reference to the following facts:

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Planning, Building and Code Enforcement 200 East Sania Clara Street San José, CA 95113-1905 tel (408) 595-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

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PRINTNAME KIMBERINJERSON	ı	DAYTIME TELEPHONE#	40891	4-6368
ADDRESS 755 Bridrwood Wy	1 Camp	bell &	啊.9	S 808
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SIGNATURE(S) OF PROTESTANT(S)

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STATE OF CALIFORNIA)	šs.		
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TO BE COMPLETED BYPLANNING STAFF	
PILE NUMBER	DATE
PLAN	BY
REZONING FILE NUMBER	
TO BE COMPLETED BY APPLICANT (PLEASE BHINT OR TYPE) ADDRESS OF PROPERTY BEING	
PROTESTED SIS BRIARWOOD WAY	
ASSESSOR'S PARCEL NUMBER(S) 412・41・1/121・00	
REASONOFPROTEST	
I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of which is situated at: (describe property by address and Assessor's Parcel Number)	th this protest is being filed,
SISBRIARWOOD WAY	
CAMPBELL CA 95008	
412.41.021.00	
and is now zoned R1-8 District. (in Santa Clara	ı County)
The undivided interest which I own in the property described in the statement above is	a:
Fee Interest (ownership)	
Leasehold interest which expires on	
Other: (explain)	
	
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SIGNATURE (S): OF PROTESTANT (S)

This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest pelition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest pelition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

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SIGNATURE (Notarized)			DATE 9/	22/10
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SIGNATURE (Notarized)			DATE	
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SIGNATURE (Notarized)			DATE	
Use separa	ate sheet if necessary		···-	

COUNTY OF 1)) ss.)	
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paragraph is true an		M. S. LUCIO Commission # 1796411 Notory Public - California Sania Clara County M/Comm.Expres May 22, 2012	going:
	ary Public	(Seal)	
STATE OF CALIFOR	RNIA)) ss.)	
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WITNESS m	y hand and official seal.		
—Nots	ry Public	(Seal)	

TO ZONING PROTEST APPLICATION

I protest -- and respectfully urge the City Council to deny -- the proposed Director Initiated Prezoning (File No. C10-010) ("Prezoning") that would result in the rezoning of my property to R-1-5 Single-Family Residence Zoning District upon annexation to the City of San Jose for the following reasons and with reference to the following facts:

- 1. <u>Prezoning Paves the Way for Streamlined Annexation Without Protest.</u> The Prezoning is proposed in conjunction with and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
- 2. Prezoning Directly Contradicts City of Campbell and Cambrian 36 Property Owners Requests. The Prezoning is the first step of a unilateral effort initiated by the City of San Jose to annex Cambrian 36 - an effort which directly contradicts the stated desire of both the City of Campbell and Cambrian 36 property owners to annex Cambrian 36 into the City of Campbell. In October of 2006, a petition signed by 204 Cambrian 36 property owners was presented to the City of Campbell asking that it be annexed to the City of Campbell. In response, the City of Campbell directed its staff to pursue two different possibilities for annexation of Cambrian 36, one which received preliminary support from City of San Jose staff. Councilmember Judy Chirco, citing an inapplicable 1984 city policy (concerning de-annexation), quashed this effort. Despite this disappointing response, both Campbell's and Cambrian 36 property owners' interest in annexing Cambrian 36 remains unequivocal. As recently expressed in the Mayor of Campbell's letter to the Mayor of San Jose dated September 2, 2010, "Campbell welcomes the annexation of the Cambrian #36 pocket into our city. The residents have Campbell mailing addresses, identify with Campbell, and stated a clear preference to be part of Campbell."
- 3. Prezoning Will Result in Annexation that Will Not Benefit My Property. My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEOA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 more than 16 years ago and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal, Code Regs § 15162.
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Planning, Building and Code Enforcement 200 East Santa Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

TO BE COMPLETED B	Y PLANNING STAFF
MM M L L U U U L U O L U O	OUNCIL DISTRICT
QUAD# ZONÎNG GENERAL PLAN	DATE
REZONING FILE NUMBER	
TO BE COMPLETE (RIEASERRIN	TEV APPLICANTS TOR TYPE)
ADDRESS OF PROPERTY BEING Normandy L	Or Campbell (A 95008
ASSESSOR'S PARCEL NUMBER(S) 414 - 02 - 065 - 00	,
REASONOFPROTEST	
I protest the proposed rezoning because See Attachm	ent A
	
Use separate sha	
The property in which I own an undivided interest of at leas is situated at: (describe property by address and Assess	ore Darool Number\
1032 Normandy Dr	Campbell (A 95008
parcel # 414-62-06	5-00
	
and is now zoned R1-8	District. (in Santa Clara County)
The undivided interest which I own in the property describe	d in the statement above is a:
Eee Interest (ownership)	
Leasehold Interest which expires on	
Other: (explain)	

SIGNATURE(S) OF P	ROTEST?	int(s)		
This form must be signed by ONE or more owners of an undirwhich such protest is filed, such interest being not merely an a remaining term of ten years or longer shall be deemed an "ow an eligible protest site is a legal entitly other than a person or duly authorized officer(s) of such legal entity. When such legal petition shall be signed by the duly authorized officer(s) of such members of the association.	easement. A mer for purp persons, the all entity is a h	tenant under a loses of this pro protest petition tomeowner's as	lease which test. When t a shall be sig sociation, th	has a the owner of pned by the e profest
PRINTNAME Mark Lee Tana	n e u	Daytime Telephone#	650 60	04 4415
ADDRESS 1032 Normanda Dr	CITY	nade 11 ST	ATE A	ZIP CODE 95008
SIGNATURE (Notarized) Mal Lee Ce	~~~~~~~	<i>y</i>	DATE/ 9/22	1.
PRINTNAME Chunghee kim- Canar	Ve /	DAYTIME TELEPHONE#	408)37	7-6547
ADDRESS Wormanoly Or Comp	ETY I	C _a si	TATE	ZIPCODE 75007
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STATE OF CALIFORNIA COUNTY OF Sanda Clara) 88.
On Sept 22, 50/0 before me, New Motary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) seame in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Commission # 1733376 Notary Public (Seal) OLANE M. JAMES Commission # 1733376 Notary Public (Seal)
STATE OF CALIFORNIA) COUNTY OF Sauta Clara) ES.
On left 32, 3D//) before me level Michael Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
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WITNESS my hand and official seal. WITNESS my hand and official seal. DIANE M. JAMES Commission # 1733376 Notary Public - Colifornia Sonia Clora County My Comm Better Apr 20, 2011

(Seal)

Notary Public

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	TO BE COMPLETED BY PLANNING STARF	
FIL	NUMBER COUNCIL DISTRICT	
~	AD# ZONING GENERAL	DATE
GU.	PLAN	ВҮ
RE	ONING FILE NUMBER	
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	TOBE COMPLETED BY APPEICAND	
	(POEASEPHINTORTES)	7
	DRESSOFPROPERTYBEING 1327 Olympia	Ave Campbell (
	ESSOR'S PARCELNUMBER(S)	υ
1	<u> 919-07-018</u>	
RE	ASON OF PROTEST	
	protest the proposed rezoning because See Attachment A	<u> </u>
l		
	Use separate sheet if necessary	
⊢		mich this protest is being filed
l	The property in which I own an undivided interest of at least 51%, and on behalf of was a situated et: (describe property by address and Assessor's Parcel Number)	
ļ	1377 Olympia Ave Campulla	95008
ŀ	1327 Olympia Ave Campbell(ADN 414-04-018	
ı	APN 474-04-018	
ı		<u> </u>
١.	and is now zoned R1-8 District. (in Santa Cla	ara County)
Ë		
	The undivided interest which I own in the property described in the statement above) IS 0.
	FeeInterest (ownership)	
	Leasehold Interest which expires on	
	_	
1	Other: (explain)	
1		
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PRINTNAME (2455 ell James Mayn	ard	DAYTIME TELEPHONE:		
ADDRESS 1327 Ofgrapia Ave	City	obell ?	5741E 	ZIPCODE 9 5008
SIGNATURE (Noterized)		,	DATE 9~	27-10
PHINTNAME		DAYTIME TELEPHONE:	#	
ADDRESS	CITY	!	STATE	ZIPÇODE
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Use separate sheet	tifnecessar	7		

STATE OF CALIFORNIA COUNTY OF SMALE CUMA)) ss.)
	ne in his/her/their authorized capacity(ies), and
I certify under PENALTY OF PBRJURY under the l paragraph is true and correct. WITNESS my hand and official seal. Motory Public	M. S. LUCIO Commission # 1796411 Notary Public - California § Sania Clara County MyComm. ExpresMay 22, 2012 (Seal)
STATE OF CALIFORNIA COUNTY OF)) ss.)
onbefore me,satisfactory evidence-to be the person(s) whose name(acknowledged to me that he/she/they executed the sat that by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument.	me in his/her/their authorized capacity(ies), and
I certify under PENALTY OF PERJURY under the inparagraph is true and correct.	laws of the State of California that the foregoing
WITN'BSS my hand and official seal.	
Notary Public	(Seal)

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TO BE COMPLETED BY PLANNING STAFF	
FILENUMBER ! P 1 (- [) 1 () COUNCIL	
U T U T D DISTRICT	DATE
QUAD# ZONÎNG GENERAL PLAN	BY
REZONING FILE NUMBER	E4
TO BE COMPLETED BY APPRICANT.	
(PLEASE PRINT OR TYPE)	
ADDRESS OF PROPERTY BEING PROTESTED /135 SHampock DR	
ASSESSOR'S PARCEL NUMBER(S)	
119-01-016	
REASONOF PROTEST	•
I protest the proposed rezoning because See Attachment A	<u>-</u>
<u> </u>	<u> </u>
Use separate sheel if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of whit is situated at: (describe property by address and Assessor's Parcel Number)	ch this protest is being filed,
414-01-016	
1155 Shamrock Drive	
·	
and is now zoned R1-8 District. (in Santa Clara	a County)
The undivided interest which I own in the property described in the statement above is	a:
Fee Interest (ownership)	
Featinglest (ownership)	
Leasehold interest which expires on	
Other: (explain)	

SIGNATURE(S) OF PROTESTANT(S)

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	-
PRINTNAME MAICK BICKETT	DAYTIME 854-1173
ADDRESS 1155 SHAMNOOK DR. CHY	STATE ZIPCODE
SIGNATURE (Notarized) Mal alla Bout	DATE 9/22/2010
PRINTNAME Ellen Paigly	DAYTIME TELEPHONE# 726+9280
ADDRESS U.55 Shamrock Dr. Cample	bell CA 95208
SIGNATURE (Notarized) Illen Paigly	DATE/22/2010
PRINTNAME	DAYTIME TELEPHONE#
ADDRESS CITY	STATE ZIP CODE
SIGNATURE (Notarized)	DATE
PRINTNAME	DAYTIME TELEPHONE#
ADDRESS CITY	STATE ZIPCODE
SIGNATURE (Notarized)	DATE
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ADDRESS CITY	STATE ZIPCODE
SIGNATURE (Notarized)	DATE
PRINTNAME	DAYTIME TELEPHONE#
ADDRESS CITY	STATE ZIPCODE
SIGNATURE (Notarized)	DATE
Use separate sheet if necessar	у

STATE OF CALIFORNIA) SS.
COUNTY OF Sayla Clara) SS.
On Solo Defore me, Nant Mant Motary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
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WITNESS my hand and official seal. Clent of the process of the
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I PRE COMPLETED BY PLANNING STAFF	
FILENUMBER 1 1 1 1 1 1 1 COUNCIL DISTRICT	
QUAD# ZONING GENERAL	DATE
REZONING FILE NUMBER	BY
·	
TO BE COMPLETED BY APPLICANT	
(PLEASEPHINTORITYPE)	
ADDRESS OF PROPERTY BEING Dympia Ave Campbe	II. CA 95008
ASSESSOR'S PARCELNUMBER(S) $414 - 04 - 024 - 00$	
REASONOFPROTEST	
I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of white is situated at: (describe property by address and Assessor's Parcel Number)	
1352 Olympia Ave, Campbell, CA 5/19/4 family home 414-04-024	9 5008 -
Single family home 414-04-024	<u>!-00</u>
and is now zoned R1-8 District. (in Santa Clara	1 County)
The undivided interest which I own in the property described in the statement above is	a:
FeeInterest (ownership)	
Leasehold interest which expires on	
Other: (explain)	

SIGNATUREIS) OF PROTESTANTIS

This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in fleu thereof, by 51% of the members of the association.

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COUNTY OF Sande Clare)) 65.)
satisfactory evidence to be the person(s) whose acknowledged to me that he/she/they executed	Arrol Ma , Notary Public, personally appeared who proved to me on the basis of name(s) is/are subscribed to the within instrument and the same in his/her/their authorized capacity(iss), and nent the person(s); or the entity upon behalf of which the
paragraph is true and correct.	er the laws of the State of California that the foregoing WARREN MA Conversion 1855029
WITNESS my hand and official seal.	Notaly Public - Colifornia Sonia Cloro County My Comm. Exphas. Jul 25, 2013 (Seal)
Notary Public STATE OF CALIFORNIA COUNTY OF)) ss.)
satisfactory evidence to be the person(s) whose acknowledged to me that he/she/they executed	Notary Public, personally appeared who proved to me on the basis of name(s) is/are subscribed to the within instrument and the same in his/her/their authorized capacity(ies), and the person(s), or the entity upon behalf of which the
I certify under PENALTY OF PERJURY under paragraph is true and correct.	er the laws of the State of California that the foregoing
WITNESS my hand and official seal.	
Notary Public	(Seal)

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	. 2101	HE GOMENETED	BY PLANNING	STAFF		
FILENUMBER QUAD#	ZONING	10-01 GENERAL	COUNCIL DS RICT		DATE	
REZONING FILE NUM	IBER	PLAN			BY	
+	τo	DEBE COMPLETE (PLEASE PR	ED BY APPLIC INTORTYPE)	ANT		
ADDRESS OF PROPE PROTESTED \ ろつ	. / 45	unia D	νε C _P	700EU	J, Ca. 9	5003
ASSESSOR'S PARCEL		\		4	-/ · ·	
REASON OF PROTES	îT ,	·	mant A			
I protest the propos	séd rezoning beca	ause See Attach	ment A			
		Use separate s	heet if necessary			
		vided interest of at le y address and Asse			n this protest is	s being filed,
and is now zoned	R1-8		_ District. (in Sa	anta Clara	County)	
The undivided inter	rest which I own in	n the property descri	bed in the stateme	ent above is a	:	
FeeIn	terest (ownership)	l				
Lease	hold interest whic	th expires on				
Other:	:(explain)				 -	

SIGNATURE(S) OF PROTESTANT(S)

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Use separate sheet i	ii necessary			

STATE OF CALIFORNIA)		
COUNTY OF Santa	Daie) ss.)		
On Sept 22, 20/10 b satisfactory evidence to be the p acknowledged to me that he/she that by his/her/their signature(s person(s) acted, executed the in-	erson(s) whose name e/they executed the sa) on the instrument th	(s) is/are subscri me in his/her/th	ibed to the within inst eir authorized capaci	inument and ty(ies), and
I certify under PENALTY OF paragraph is true and correct.	PERJURY under the	laws of the Sta	te of California that	the foregoing
WITNESS my hand and	n James	س	(Seal)	Commission # 1783376 Commission # 1783376 Notary Public - California Santa Clara County My Comm. EquiseApr 20, 2011
STATE OF CALIFORNIA)) s9.)	•	
satisfactory evidence-to be the p		(s) is/are subscri	bed to the within inst	rument and
acknowledged to me that he/she that by his/her/their signature(s person(s) acted, executed the iro) on the instrument th			
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Motorar Public				

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FILE NUMBER () U 10 - U 1 U COUNC DISTRIC	CIL
TO BE GOMPLETIED BY (IPLEASE PRINT OF	VARPEICANT HTYPE) CAMPBELL 95008
ASSESSOR'S PARCEL NUMBER(S) 414 - 02 - 07 REASON OF PROTEST	26
	•
I protest the proposed rezoning because See Attachment .	A
Use separate sheel li n	ecessary
Use separate sheet if n The property in which I own an undivided interest of at least 51% [is situated at: (describe property by address and Assessor's I	ecessary 6, and on behalf of which this protest is being filed, Parcel Number)
Use separate sheel if n The property in which I own an undivided interest of at least 51%	ecessary 6, and on behalf of which this protest is being filed, Parcel Number)
Use separate sheel line The property in which I own an undivided interest of at least 51% is situated at: (describe property by address and Assessor's IIII Erin Way Campbell CA APN 414-02-026	ecessary 6, and on behalf of which this protest is being filed, Parcel Number)
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Use separate sheel if n The property in which I own an undivided interest of at least 51% is situated at: (describe property by address and Assessor's II22 Erin Way Campbell CA APN 4/4-02-026 and is now zoned R1-8 District.	necessary 6, and on behalf of which this protest is being filed, Parcel Number) 95008 rick (in Santa Clara County)
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PRINTNAME William W. Deans		DAYTIME TELEPHONE# 650-796-48-36
ADDRESS 1122 Erin Way C	AMPBELL	STATE ZIP CODE
SIGNATURE (Notarized) William Mc		DATE 9/25/2010
PRINTNAME Florence M Deans		DAYTIME TELEPHONE# 408-621-6283
ADDRESS 1122 Erin Way	Campbel	STATE ZIPCODE (A 9,5008
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STATE OF CALIFORNIA COUNTY OF <u>Santa Clara</u>)) ss.)	
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paragraph is true and correct. WITNESS my hand and official seal. Workey Public	PlYUSH DAVE Commission # 189 Notery Public - Call Sania Clara Cour My Comm. Expires Jun)224 Iforn Nty
STATE OF CALIFORNIA COUNTY OF) ss.)	
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Notary Public	(Seal)	

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SIGNATURE(S) OF PRO			-		\$ 25
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ADDRESS 1123 ERIN WAY CAM		TELEPHO <u>NE#1</u> ST <i>CP</i>	ATE	9500	CODE
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On 21/10 before me, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJORY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Stendor Pitre Commission 1844507 Notary Public California Santa Giara County My Comm. Expires Apr 13, 201
STATE OF CALIFORNIA COUNTY OF BLANCE (1996) 85.
before me, ANGLO Notary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
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SIGNATURE(S) OF PROTESTANT(S)

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PRINT NAME		DAYTIME	
Brian McAvoy		TELEPH <u>ONE#</u>	WID 0000
ADDRESS 492 Dællas Dr.	CITY (Ampholi	STATE	
SIGNATURE (Notarized) Chor		DA	55 SE110
PRINTNAME YVETTE MCANOY		DAYTIME TELEPHONE#	
ADDRESS 492 Dallas Dr	CITY (ampte/)	STATI	93008
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CITY OF SAN JOSE

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ZONING PROTEST APPLICATION

QUAD# ZONING	GENERAL PLAN	DATE
REZONING FILE NUMBER		BT
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4/240013		
and is now zoned R1-8	District. (in Santa	ı Clara County)
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Fee Interest (ownership)		
Leasehold Interest whic	h exptres on	

SIGNATURE(S) OF PROTESTANT (S)

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members of the association.			
PRINTNAME Toold Richards	DAYTIME TELEPHONE#	408-5	110,8951
ADDRESS 504 Dallas Orive Compe	bell c		ZIPCODE
SIGNATURE (Notarized) Richards		DATE 9/2	27/20
PRINTNAME Mildred V. Ugnos-Richards	DAYTIME TELEPHONE#		min AASE 1
ADDRESS 504 Dallas Drive Camp		CZ4	ZIPCODE 9500 8
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ADDRESS CITY		STATE	ZIPCODE
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Use separate sheet if necessar	у		



PATIENCE ANNE STARNES,
COMM. #1756229
MOTARY PUBLIC - CALIFORNIA SANTA CLARIA COUNTY
My Comm. Expires July 29, 2011

STATE OF CALIFORNIA)
COUNTY OF Santa Clara
On
WITNESS my hand and official seal. Notary Public
STATE OF CALIFORNIA COUNTY OF Sanda Clara Ss.
on 127 10 before med the person of the basis of Notary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me fhat he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PRNALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
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CITY OF SAN JOSE

Planning, Building and Code Enforcement 200 East Santa Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

ZONING PROTEST APPLICATION

THE REPORT OF THE PROPERTY OF	
TO BE COMPLETED BY PLANNING STAFF	
FILENUMBER	
QUAD# ZONING GENERAL	DATE
PLAN	BY
REZONING FILE NUMBER	
TO:BE COMPLETED BY APPLICANTS	
(HCEASEPRINTORTYPE)	<u> </u>
ADDRESS OF PROPERTY BEING 1136 SALERNO Dr. Quin	nbell By 95008
ASSESSOR'S PARCELNUMBERIST	
REASONOFPROTEST	
I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of wi	ich this prolest is being filed,
is situated at: (describe property by address and Assessor's Parcel Number)	
	~~·
1136 Salerno Dr. Campbell C	a 85008.
11.36 Salevno Dr. Campbell	25008.
11.36 Salevno Dr. Campbell C 414-05-042	a_85008.
11.36 Salerno Dr. Campbell (
11.36 Salevno Dr. Campbell	
1/36 Salerno Dr. Caughell (4/4 - 05 - 042 District. (in Santa Cla	ra County)
-11.36 Salevno Dr. Campbell (ra County)
	ra County)
and is now zoned R1-8	ra County)
and Is now zoned R1-8	ra County)
and Is now zoned R1-8	ra County)
and Is now zoned R1-8	ra County)

SIGNATURE(S): OF PROTESTANT(S):

This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is tiled, such interest being not merely an easement. A tenant under a lease which has a remaining term of len years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

PRINTNAME LESSE CORDOVA		DAYTIME TELEPHONE#		0307.
ADDRESS 136 SaleFina Dv. 6	amabell	Ca	TATE -	ZIPCODE 95008
SIGNATURE (Notarized)	<u></u>		DATE _g .	22-10
PRINTNAME Nivera COKOOVA	7	DAYTIME </td <td>879</td> <td>0307</td>	879	0307
ADDRESS SalexAD Dr. Gal	CITY	, OB	iate 95	ZIP CODE てつ <i>口を</i>
SIGNATURE (Notarized)	Mercin	a Consta	DATE 9/	122/10
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	ទា	ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	Sī	ATE	ZIPCODE
SIGNATURE (Notarized)		_	DATE	
PRINTNAME		DAYTIME TELEPHONE#		
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SIGNATURE (Notarized)			DATE	
PRINTNAME	-	DAYTIME TELEPHONE#		
ADDRESS	CITY	នា	ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
Use separate sh	estifnecessary			

STATE OF CALIFORNIA) COUNTY OF Sanda Clara) 65.
On Sept 31, 3010 before me, Condition who proved to me on the basis of satisfactory evidence-to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument,
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Commission # 1733376 Notary Public Collionia Santa Clara County My Comm. Express Apr 20, 2011
STATE OF CALIFORNIA COUNTY OF Sente Clave ss.
On San Do, 2011) before me, San Employed Source Public, personally appeared who proved to me on the basis of satisfactory evidence-to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I sould be an in the DENIALTY OF DEDUCTOR AND A STATE OF A STATE O

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public(_

(Seal)

ATTACHMENT A

TO ZONING PROTEST APPLICATION

I protest -- and respectfully urge the City Council to deny -- the proposed Director Initiated Prezoning (File No. C10-010) ("Prezoning") that would result in the rezoning of my property to R-1-5 Single-Family Residence Zoning District upon annexation to the City of San Jose for the following reasons and with reference to the following facts:

- 1. <u>Prezoning Paves the Way for Streamlined Annexation Without Protest</u>. The Prezoning is proposed in conjunction with and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
- 2. Prezoning Directly Contradicts City of Campbell and Cambrian 36 Property
 Owners Requests. The Prezoning is the first step of a unilateral effort initiated by the City
 of San Jose to annex Cambrian 36 an effort which directly contradicts the stated desire of
 both the City of Campbell and Cambrian 36 property owners to annex Cambrian 36 into
 the City of Campbell. In October of 2006, a petition signed by 204 Cambrian 36 property
 owners was presented to the City of Campbell asking that it be annexed to the City of
 Campbell. In response, the City of Campbell directed its staff to pursue two different
 possibilities for annexation of Cambrian 36, one which received preliminary support from
 City of San Jose staff. Councilmember Judy Chirco, citing an inapplicable 1984 city policy
 (concerning de-annexation), quashed this effort. Despite this disappointing response, both
 Campbell's and Cambrian 36 property owners' interest in annexing Cambrian 36 remains
 unequivocal. As recently expressed in the Mayor of Campbell's letter to the Mayor of San
 Jose dated September 2, 2010, "Campbell welcomes the annexation of the Cambrian #36
 pocket into our city. The residents have Campbell mailing addresses, identify with
 Campbell, and stated a clear preference to be part of Campbell."
- 3. <u>Prezoning Will Result in Annexation that Will Not Benefit My Property.</u> My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

service. As such, the City's intended annexation would not qualify for a streamlined urban island annexation pursuant to Government Code § 56375.3 because it does not meet the criteria set forth in Government Code § 56375.3(b)(6).

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEOA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 more than 16 years ago and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).